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COMMITTEE ON THE RIGHTS OF THE CHILD

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SUMMARY RECORD OF THE 338th MEETING

Held at the Palais des Nations, Geneva,
on Tuesday, 8 October 1996, at 3 p.m.

Chairperson: Mrs. BELEMBAOGO

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The meeting was called to order at 3.05 p.m.

CONSIDERATION OF REPORTS OF STATES PARTIES (agenda item 4) (continued)

Initial report of Slovenia (continued) (CRC/C/8/Add.25; HRI/CORE/1/Add.35; CRC/C.12/WP.2 (list of issues); supplementary information submitted by the Government of Slovenia, document without a symbol distributed in English only)

1. At the invitation of the Chairperson, the members of the delegation of Slovenia resumed their places at the Committee table.

2. The CHAIRPERSON invited members of the Committee to ask questions on the sections of the list of issues (CRC/C.12/WP.2) relating to family environment and health.

3. Mr. KOLOSOV asked whether Slovenia was considering acceding to the Convention on Protection of Children and Cooperation in respect of Intercountry Adoption (The Hague, 1993). He would welcome additional information on the reasons which had prompted the adoption of a special law on the education of the Hungarian and Italian minorities (CRC/C/Add.25, para. 130) and on the content of that legislation. Had the various bills relating to education, mentioned in paragraph 133 of the report, been enacted? If not, what obstacles had they encountered?

4. Mr. MOMBESHORA wished to know the composition and operating procedures of the commission of experts consulted by the social assistance centres in the event of a problem. In cases of separation, how were the maintenance responsibilities of the parents determined and how were maintenance payments recovered? What proportion of the budget was allocated to primary or preventive health care? And had the draft legislation on disabled persons been enacted?

5. Mrs. EUFEMIO asked what were the implications within the family, and notably for boys, when a household was headed by a woman. What were the reasons, other than financial, for the removal of a child from the custody of the parents and what were the powers of the social assistance centres in that area? Had the State established preventive programmes to prepare future spouses for the possibility of separation? Were there measures other than those adopted by the social assistance centres to ensure fulfilment of parental obligations and what was the role of the commission of experts in cases of separation?

6. In connection with alternative care, she requested further information on the procedures for the selection of foster-families. She wished to know whether those families received compensation, what their motivation was and whether they were subject to supervision. Was the child prepared for a possible return to his family or for placement in another family or in an institution? To what extent was the child's opinion taken into account in the choice of foster-family or with a view to placement in an institution? Lastly, did a child placed with a foster-family or in an institution remain in contact with his original family? And what role was played by the social assistance centre in that area?

7. She would also welcome clarification of the differences between placement with a foster-family and guardianship. She asked what was the average duration of a child's stay in an institution, what were the procedures for review of placement measures, how often was such a review carried out and whether the continuity of the child's education was ensured in the foster-family. How many children placed with a foster-family had been adopted? And how many children meeting the requisite conditions had not been adopted and for what reasons?

8. Mrs. BADRAN asked whether social workers received legal training, given the importance of their contacts with the courts. What were the respective powers of social workers and judges in the decision-making process? Had measures been taken to accelerate judicial procedure in cases of ill-treatment of children by their parents?

9. She would welcome clarification of pre-school education at home, as referred to in paragraph 120 of Slovenia's replies. She was surprised at the high percentage of households headed by a woman and requested details of the family situation of such women.

10. She wished to know the proportion of disabled children, and asked what was the commonest cause of disability and whether establishments were compelled by law to reserve certain jobs for disabled persons. She further inquired whether abortion was authorized by law and, if so, up to what stage of pregnancy. Lastly, she invited the delegation to explain the reasons for the slight decrease in the percentage of the budget allocated to health care.

The meeting was suspended at 3.30 p.m. and resumed at 3.40 p.m.

11. Mrs. VALENČIČ (Slovenia) said that six laws relating to primary education had entered into force on 15 March 1996 and would gradually be implemented from the present time up to the years 2001 or 2002. Two bills relating to music education and the integration into society of disabled children or children with special needs were being considered at first reading by the Slovenian parliament. In Slovenia, 0.02 per cent of children were disabled and were covered by special programmes.

12. On the question of minority rights, she said that a general law governed the rights of the Hungarian and Italian minorities, for whom there were two different education systems. In education intended for the Hungarian minority, teachers could express themselves in Slovenian or Hungarian in turn, while in education intended for the Italian minority, the classes given in Slovenian and in Italian were quite separate.

13. Mrs. BAČIČ (Slovenia) said that the teams of experts set up to investigate the questions of sexual violence or torture perpetrated against children were formed in accordance with the British and American models. Those countries' experience showed that that type of structure offered the best possibilities for prevention and immediate protection. It was also advisable to work with families, since it was often difficult for a parent to detect and report that type of behaviour. The Government was currently preparing regulations defining procedures for action in that area. Measures were being taken to sensitize police officers, social workers, psychologists,

doctors and all other persons concerned to that problem. Experts were trained in groups and the programme comprised a lesson on how to conduct an interview with a child in the context of a judicial procedure. In the case of sexual violence or torture perpetrated against the child in the family environment, the victim was generally removed from the home and the parents made to follow special programmes. The results of those programmes were the subject of an evaluation which, if positive, could lead to the return of the child to his home. Of course, the parents and the child were prepared for that eventuality. On the question of social workers cooperating with the courts, she stated that they received special training and that they could also request expert assistance. As to parents' responsibility for the education of children, she said that legislation established penalties for persons who did not fulfil their obligations in that area. The Law on Marriage and Family Relations provided for measures to strengthen the protection of children. Referring to the situation of single mothers in Slovenia, she described her own case, which illustrated the importance of the concept of independence for Slovenian women. The national culture in general and literature in particular provided numerous examples showing that women were the ones who cemented a family together and took the decisions.

14. Mrs. VOVK-ŽELEZNIK (Slovenia) said that, according to the data at her disposal, the proportion of single-parent families was 18 per cent in Slovenia; 15.4 per cent of those families were headed by a woman. Similar figures were to be found in a large number of countries. On the question of adoption, she said that Slovenia was on the point of signing The Hague Convention on Protection of Children and Cooperation in respect of Intercountry Adoption. That initiative must be completed quickly since, as stated in the report, for the 100 children adopted on average every year in Slovenia, there were between 200 and 300 requests for adoption.

15. In reply to the question about recovery of maintenance payments, she said that any woman could institute judicial proceedings for that purpose. With regard to counselling of persons intending to marry, she said that the social assistance centres had for several years offered specialized pre-marriage consultation services and that all persons intending to marry were required to follow those programmes. Foster-families were chosen on the basis of precise criteria and following scrupulous preparation by the social assistance centres. Obviously, they were also remunerated. In connection with a proposal to separate a child from his parents, which was a very serious matter, the Law on Marriage and Family Relations stipulated, in articles 120 and 121, that an interdisciplinary commission of experts, made up of psychologists, educators, social workers and representatives of the medical professions, should be consulted.

16. Mrs. BRVAR (Slovenia), reverting to the question of the financing of primary health care, said that compulsory health care absorbed 7 per cent of GNP. In view of the variety of sources of financing, it was difficult to calculate the proportion of that amount invested in prevention programmes. Abortion was free of charge up to the tenth week of pregnancy. Beyond that point, it could be carried out for health reasons, on the recommendation of a medical commission. The number of abortions was nevertheless declining sharply and had fallen by half among adolescents. Special prevention programmes were organized for girls aged 13 or 14. In that age range, there

were in fact, on average, only two abortions and two births per year. She would in due course send the Committee figures concerning the share of GNP devoted to assistance to disabled children.

17. Mr. BEBLER (Slovenia) said that the percentage of female heads of household was in all probability less than 20 per cent, unlike what had been said previously. The error doubtless derived from confusion with the proportion of women in the active population, which was over 50 per cent.

18. Mr. MOMBESHORA, noting from the supplementary information submitted by the Slovenian Government that 20.7 per cent of families had no children and that 37.2 per cent had only one child, asked whether those high figures were due to low fertility or to an effective family planning policy, which would also account for the small number of pregnancies among adolescent girls. On the question of programmes for the prevention of sexually transmissible diseases, he would welcome details of the number of cases of HIV infection and AIDS, and more particularly the number of children contaminated by intra-uterine transmission. There were a large number of institutions working for disabled persons and in the health area in general; he asked whether the personnel in those institutions had sufficient training or whether there was a shortage of qualified personnel.

19. Mrs. BRVAR (Slovenia) said that there had been a decline in the number of births over the past few years, leading in certain regions to a negative demographic growth rate. That phenomenon was not only due to information on birth control and education in health care, but also formed part of a much broader social trend. On the question of AIDS, she said that the number of reported cases had been between 0.05 and 0.35 per 100,000 persons in 1994. Only one child had been affected. As to HIV infection, 99 cases had been recorded in 1995, compared with 51 in 1994. The national education system provided appropriate training for personnel called upon to work with children, including social workers, educators, doctors, nurses and psychologists.

20. The CHAIRPERSON invited members of the Committee to ask questions on the section of the list of issues relating to education.

21. Mrs. BADRAN noted that a high proportion of pupils who left school - 11.4 per cent, according to statistics for 1992-1993 - had a very low level of general knowledge, and, having received no basic vocational training, found themselves with no employment prospects. Was Slovenia taking steps to reduce that percentage and provide the pupils concerned with adequate training? She also asked whether the 22 per cent of pupils receiving free school meals were looked down on by their classmates.

22. Mrs. EUFEMIO, noted from paragraph 13 of the core document (HRI/CORE/1/Add.35) that the number of households (44.1 per cent) headed by a woman was 281,602 (44.1 per cent), of which 164,552 (47.3 per cent) were in urban areas. Those figures were difficult to reconcile. Could the delegation confirm them?

23. Mr. BEBLER (Slovenia) agreed that the figures referred to by Mrs. Eufemio were surprising and thought they were probably an error. His delegation would provide the Committee with clarifications in due course.

24. Mrs. VALENČIČ said that free school meals were provided under a programme designed by the competent authorities in cooperation with various specialists in the field of education. The criteria and methods for selecting the children to be covered by the programme had been carefully established, and the different aspects of the programme had been studied together with the teachers. All parents could register their children without having to provide justification, and difficult cases were resolved by counsellors. All the appropriate steps had been taken to avoid children receiving free school meals being looked down on by their classmates not receiving such meals.

25. Regarding the high percentage of children with poor school records, the new legislation in force provided for scholastic assistance adapted to children in difficulty, and there were special schedules for children who were "different". Children with behavioural difficulties also received special teaching. Additional instruction of up to 5 hours per week was provided for children with scholastic problems and gifted children. The Ministry of Education and Sports allocated considerable human and financial resources for ongoing training for teachers.

26. With regard to vocational training, short-term vocational training courses aimed primarily at manual jobs were provided for children who chose technical, practical training rather than the conventional programme. A nationwide network of placement offices helped job-seekers find training programmes appropriate for their needs.

27. Mrs. EUFEMIO noted that the delegation of Slovenia had referred to the high quality of pre-school programmes for children under 3 years of age but indicated that the number of crèches/day-nurseries was insufficient for Slovenia's needs and that alternative solutions were required in that area. She would like to know what the Slovene authorities were planning to do to meet the needs of low-income families and whether community solutions were used. One possibility would be to encourage the establishment of family crèches/day-nurseries operating on a rotation basis, which would enable women from the same neighbourhood to have their small children minded while missing only one day of work per week.

28. Mr. MOMBESHORA said that he would like to know how many refugee children had settled in Slovenia after the break-up of the Socialist Federal Republic of Yugoslavia and whether the aid provided by the international community, in particular through the Office of the United Nations High Commissioner for Refugees, had been sufficient.

29. Mrs. VALENČIČ (Slovenia) said that in March 1996 Slovenia had enacted a law containing new provisions relating to learning in crèches and various programmes adapted to the length of time spent in the crèche (full day or half-day). Special programmes were also provided for children coming from far away. The criteria laid down in the law tended to provide for particularly favourable conditions for the youngest children (up to the age of 3). In October 1996 Slovenia would be enacting a law for assigning medical personnel to crèches and forming smaller groups of children to improve the quality of time spent in the crèches for both the teachers and the children.

30. As for the establishment of family crèches, crèches were free to conclude agreements or contracts with private individuals, specifying criteria and operating methods, and rules governing the children's education. Concerning the financing of crèches, fees varied according to the parents' income and assets; some children did not have to pay any crèche fees. Similarly, large families might be charged according to a sliding scale or at lower rates.

31. Mrs. BAŠIČ (Slovenia) said that in 1991 Slovenia's refugees had numbered 90,000, including 16,000 schoolchildren; the figures for 1996 were 11,000 refugees, including 2,884 schoolchildren. All such children entered the Slovene school system in the normal manner.

32. The international community had provided considerable assistance during the first two years following Slovenia's independence, but that aid had since decreased. Nevertheless, Slovenia continued to receive aid in kind from the international community, in the form of books and food and programmes of visits and cultural activities.

33. She agreed that article 183 of the Penal Code, which laid down punishment for sexual violence committed against children under 14 years of age, should be amended and the age limit raised. She stressed, however, that the perpetrators of such crimes were tried with direct reference to the Convention, even though the legislation had not yet been amended. A child could ask for help from a social worker or the representative of a non-governmental organization. In cases where a child had been the victim of violence within his or her family, however, the person responsible was not present at the hearing.

34. Mrs. EUFEMIO asked for additional information on the integration of Gypsy children into the Slovene community.

35. Mrs. TAŠTANOVSKI (Slovenia) said that Gypsy children had been grouped into special classes in the past but now attended ordinary classes. The Institute responsible for preparing the school curricula had established a project for improving the integration of Gypsy children, who since 1994 had been incorporated into classes in small groups of no more than three. Teachers used methods that respected cultural specificities and occasionally held classes in the open air, for everyone knew that Gypsy children needed to be in contact with nature. However, Slovenia lacked teachers capable of teaching Gypsy children in their mother tongue, Romany, which also varied considerably from the north to the south. The Government would like to learn from the experience of other countries who had been more successful than Slovenia in that area.

The meeting was suspended at 5.15 p.m. and resumed at 5.25 p.m.

36. The CHAIRPERSON invited members of the Committee to make suggestions and recommendations for the Slovene delegation.

37. Mr. KOLOSOV expressed appreciation of the composition and competence of the delegation and its sincere dialogue with the Committee. The situation of children in Slovenia was not at all alarming, but efforts to provide children

with better protection should continue. He had taken note of the difficulties facing the Government, in particular the still-high number of refugee children, the consequences of unemployment for certain groups of children, and a slight increase in crime and sexual abuse involving children. He commended Slovenia for the existence of an ombudsman for enforcing children's rights. On another matter, he encouraged the Government to amend its legislation to provide better protection for children who had been the victims of sexual violence and to see to it that the number of doctors was increased. Parents and society in general should also be made more aware that children who had been subjected to physical or mental ill-treatment needed their full protection. Juvenile offenders should be considered first and foremost as victims of certain social conditions. He recommended that on its return the delegation should organize a televised round table, with children, on the rights enshrined in the Convention.

38. Mrs. BADRAN endorsed Mr. Kolosov's recommendations and expressed the hope that the Slovene Government would be able to balance the requirements of the market economy with the need for social measures. She expressed appreciation of the fruitful dialogue between the Committee and the Slovene delegation.

39. Mrs. EUFEMIO recommended, in connection with single-parent families, that the Slovene Government should continue its research with a view to establishing prevention programmes. Such families should also be assisted at the community level.

40. The CHAIRPERSON thanked the Slovene delegation for its willingness to hold an effective and precise dialogue with the Committee. She suggested, on behalf of the Committee, that the legislation should continue to be revised, and she encouraged the Government to accede to the Hague Convention on Protection of Children and Cooperation in respect of Intercountry Adoption. The Convention on the Rights of the Child should be included in all school curricula, and the text of the Convention should be distributed, in particular to doctors, social workers and persons working against juvenile delinquency. She also hoped that the Government would publish the Committee's recommendations.

41. Mr. BEBLER (Slovenia) thanked the Committee for its observations and suggestions, which would be transmitted to the authorities with a view to improving the protection of children and broadcast on television and radio. His delegation shared the Committee's concerns and would transmit to the Government the Committee's recommendation to accelerate the process of amending the legislation on the protection of children. It would also transmit to the Committee as soon as possible the documents that had not been submitted to the current session, in order to keep the Committee informed of the situation of children in Slovenia.

42. The CHAIRPERSON welcomed the fruitful dialogue between the Committee and the delegation and noted the delegation's promise to convey the Committee's suggestions and recommendations to the Slovene Government and people.

The meeting rose at 5.50 p.m.